

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION**

Attorney's Docket No.

000270-007

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:

CLONING USING DONOR NUCLEI FROM DIFFERENTIATED FETAL AND ADULT CELLS

the specification of which

(check one)

☐

is attached hereto;

**X**

was filed on January 10, 1997 as

Application No. 08/781,752

and was amended on \_\_\_\_\_;  
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed:

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COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES_ NO_
			YES_ NO_

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis	17,337	Ralph L. Freeland, Jr.	16,110	William C. Rowland	30,888
Peter H. Smolka	<u>15,913</u>	Robert G. Mukai	<u>28,531</u>	T. Gene Dillahunt	<u>25,423</u>
Robert S. Swecker	<u>19,885</u>	George A. Hovanec, Jr.	<u>28,223</u>	Anthony W. Shaw	<u>30,104</u>
Platon N. Mandros	<u>22,124</u>	James A. LaBarre	<u>28,632</u>	Patrick C. Keane	<u>32,858</u>
Benton S. Duffett, Jr.	<u>22,030</u>	E. Joseph Gess	<u>28,510</u>	Bruce J. Boggs, Jr.	<u>32,344</u>
Joseph R. Magnone	<u>24,239</u>	R. Danny Huntington	<u>27,903</u>	William H. Benz	<u>25,952</u>
Norman H. Stepno	<u>22,716</u>	Eric H. Weisblatt	<u>30,505</u>	Peter K. Skiff	<u>31,917</u>
Ronald L. Grudziecki	<u>24,970</u>	James W. Peterson	<u>26,057</u>	Richard J. McGrath	<u>29,195</u>
Frederick G. Michaud, Jr.	<u>26,003</u>	Teresa Stanek Rea	<u>30,427</u>	Matthew L. Schneider	<u>32,814</u>
Alan E. Kopecki	<u>25,813</u>	Robert E. Krebs	<u>25,885</u>	Michael G. Savage	<u>32,596</u>
Regis E. Slutter	<u>26,999</u>	Robert M. Schulman	<u>31,196</u>	Gerald F. Swiss	<u>30,113</u>
Samuel C. Miller, III	<u>27,360</u>				

and: Robin L. Teskin, Registration No. 35,030 and Richard C. Ekstrom, Registration No. 37,027

Address all correspondence to:

Robin L. Teskin, Esq.

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Alexandria, Virginia 22313-1404

Address all telephone calls to: Robin L. Teskin at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR	SIGNATURE	DATE
<u>Steven L. STICE</u> 1-20	<u>Steven L. Stice</u>	<u>2/18/97</u>
RESIDENCE	CITIZENSHIP	
<u>Belchertown, Massachusetts 01007</u> MA	U.S.A.	
POST OFFICE ADDRESS		
468 Amherst Road, Belchertown, Massachusetts 01002		
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	SIGNATURE	DATE
<u>Jose CIBELLI</u> 2-20	<u>Jose C. Cibelli</u>	<u>2/18/97</u>
RESIDENCE	CITIZENSHIP	
<u>Amherst, Massachusetts 01002</u> MA	U.S.A. <u>Argentina</u> JC	
POST OFFICE ADDRESS		
166 Village Park, Amherst, Massachusetts 01002		
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	SIGNATURE	DATE
<u>James ROBL</u> 3-00	<u>James M. Robl</u>	<u>2/18/97</u>
RESIDENCE	CITIZENSHIP	
<u>Belchertown, Massachusetts 01007</u> MA	U.S.A.	
POST OFFICE ADDRESS		
196 Old Enfield, Belchertown, Massachusetts 01007		

FULL NAME OF FOURTH JOINT INVENTOR, IF ANY Paul GOLUEKE <i>4-00</i>		SIGNATURE <i>Paul Golueke</i>		DATE 2-18-97
RESIDENCE 8 Diane Drive # 3, Belchertown, Massachusetts 01007		CITIZENSHIP U.S.A.		
POST OFFICE ADDRESS Belchertown, Massachusetts 01007 <i>MA</i>				
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY F. Abel Ponce de LEON <i>5-00</i>		SIGNATURE <i>F. Abel Ponce de Leon</i>		DATE 2/20/97
RESIDENCE Amherst, Massachusetts 01002 <i>MA</i>		CITIZENSHIP U.S.A.		
POST OFFICE ADDRESS 134 Wildflower Drive, Amherst, Massachusetts 01002				
FULL NAME OF SIXTH JOINT INVENTOR, IF ANY D. Joseph JERRY <i>6-00</i>		SIGNATURE <i>D. Joseph Jerry</i>		DATE 2-20-97
RESIDENCE Shutesbury, Massachusetts 01072 <i>MA</i>		CITIZENSHIP U.S.A.		
POST OFFICE ADDRESS W. Pelham Road, Shutesbury, Massachusetts 01072				
FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				
FULL NAME OF EIGHTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				
FULL NAME OF NINTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				
FULL NAME OF TENTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				
FULL NAME OF ELEVENTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				
FULL NAME OF TWELFTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				

Applicant or Patentee: Steven L. STICE, Jose CIBELLI, James ROBL, Paul GOLUEKE, F. Abel Ponce de LEON and D. Joseph JERRY

Application or Patent No.: 08/781,752

Filed or Issued: January 10, 1997

For: CLONING USING DONOR NUCLEI FROM DIFFERENTIATED FETAL AND ADULT CELLS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 C.F.R. §§ 1.9(f) AND 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION University of Massachusetts, as represented by its Amherst Campus

ADDRESS OF ORGANIZATION Office of Vice Chancellor for Research at Amherst

Amherst, MA 01002

**TYPE OF ORGANIZATION**

- ☒ University or other institution of higher education
- ☐ Tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))
- ☐ Nonprofit scientific or educational under statute of state of The United States of America  
(Name of state \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_)
- ☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in The United States of America
- ☐ Would qualify as nonprofit scientific or educational under statute of The United States of America if located in The United States of America  
(Name of state \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under Sections 41(a) and 41(b) of Title 35, United States Code, with regard to the invention entitled CLONING USING DONOR NUCLEI FROM DIFFERENTIATED FETAL AND ADULT CELLS by inventor(s) Steven L. STICE, Jose CIBELLI, James ROBL, Paul GOLUEKE, F. Abel Ponce de LEON and D. Joseph JERRY described in

- ☐ the specification filed herewith
- ☒ Application No. 08/781,752, filed January 10, 1997
- ☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern, or organization having rights to the invention is listed below,\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an individual inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ individual      ☐ small business concern      ☐ nonprofit organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ individual      ☐ small business concern      ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee and any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b).)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Dr. Frederick Byron

TITLE IN ORGANIZATION Vice Chancellor for Research

ADDRESS OF PERSON SIGNING Office of Vice Chancellor for Research at Amherst

Amherst, MA 01002

SIGNATURE Frederick W. Byron DATE 2/13/97

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